

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Michael S. Robinson, Task Force Officer, United States Department of Justice, Federal Bureau of Investigation (FBI), being duly sworn, state:

I. INTRODUCTION

1. I am a Task Force Officer with the Federal Bureau of Investigation (FBI). As such, I am “an investigative or law enforcement officer of the United States,” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516. I became a Police Officer with the Billings Police Department in March of 2003. I have worked approximately eight years as a uniformed patrol officer. I have also worked approximately eight years as a detective for the Billings Police Department. For one and one half of those years I was assigned to investigate crimes against children. In addition to these crimes I also investigated homicides, robberies, thefts and assaults. When I was not assigned to the general investigations division I have worked at the Eastern Montana High Intensity Drug Traffic Area (EMHIDTA). During the approximate six years at EMHIDTA I was assigned to the Federal Bureau of Investigations as a Task Force Officer (TFO). I have been assigned to work federal, state, and local narcotics investigations but target federal interstate narcotics investigations.

2. Throughout my career, I have received specialized training from a variety of federal, state, and local law enforcement agencies concerning several law enforcement topics.

3. Specifically, I have conducted or assisted with investigations relative to the manufacture, smuggling and distribution of controlled substances and the subsequent illicit transfer and laundering of the proceeds derived from the sale of controlled substances. I have also participated in numerous narcotics investigations which have resulted in the seizure of large quantities of controlled substances, firearms, and contraband associated with violations of Title 18 and Title 21 of the United States Code. I am familiar with, and have participated in, all of the normal methods of investigation, including but not limited to visual surveillance, questioning of witnesses, the use of search and arrest warrants, the use of informants, the use of pen registers, the utilization of undercover agents, the use of Grand Jury, and the use of court authorized wire and electronic intercepts. Additionally, I have consulted with other Agents who have been involved in similar investigations.

4. Throughout my career, I have discussed with numerous law enforcement officers, cooperating defendants, and informants, the methods and practices used by gang members and narcotics distributors and I am familiar with their typical methods of operation, including, the manufacturing, distribution,

storage and transportation of narcotics, and the collection of money which represents the proceeds of narcotics trafficking and money laundering.

II. DESCRIPTION

5. This Affidavit is submitted in support of an application for a search warrant of “A white 2002 Dodge Grand Caravan with Montana license plate 3-14342D and Vehicle Identification Number 1D4GP24R45B362264”. The statements in this Affidavit pertain to the investigation described below and are based in part on information provided by my own observations and experience as an FBI Task Force Officer, and the observation and experiences of other fellow law enforcement officers participating in the investigation. This Affidavit does not purport to contain all facts related to this investigation, but only those facts necessary to establish probable cause with respect to the aforementioned offense. The items to be seized from the Dodge Grand Caravan are specifically described in Attachment A, which constitute the fruits, instrumentalities, and evidence of violations 21 U.S.C § 841 (a) (1), 846 and 18 U.S.C § 924 (c).

III. PROBABLE CAUSE

6. In early August 2019, Agents with Eastern Montana High Intensity Drug (EMHIDTA) Task Force and the FBI Big Sky TOC-West Task Force began investigating a male named Dominique Paris and a female, Chavonna Gough, as being involved the distribution of methamphetamine.

6. As part of this ongoing investigation, on August 21st, 2019, United States Postal Inspector Michael Smith was granted a federal search warrant to search a USPS parcel addressed to Nathaniel Heard at 207 ½ N 20th St Apt D, Billings, MT. The package was coming from 3719 46th Ave Suite 3, Sacramento, CA 95824.

7. After the search warrant was signed, USPS Inspector Smith transported the parcel to the EMHIDTA office. Agents then opened the parcel and found approximately 253.9 grams of a crystal substance in three baggies. These baggies were in coffee grounds which were inside a bag. A sample of the crystal substance was tested using a presumptive narcotics identification test kit and it tested positive for methamphetamine. Agents placed approximately 111.7 grams of the crystal substance back into the parcel along with some rock salt. The package was resealed and secured in the EMHIDTA evidence room.

8. On August 22nd, 2019, Agents were conducting surveillance at the Post Office on S 26th St. in anticipation of someone attempting to pick up the parcel. At approximately 1054 hours, Agents identified Paris, Gough and Heard in a white Dodge Grand Caravan with MT license plate 3-14342D. Heard went into the post office and briefly spoke to an employee and then exited. All three then left the area in the minivan. An employee then contacted Postal Inspector Smith about a male attempting to pick up the parcel.

9. A short time later, Postal Inspector Smith changed the status in the delivery system of the package as “non-deliverable”. A short time after this was done the status was changed to “at post office”. Approximately twenty minutes after the last status change, Agents observed the same minivan entering the post office parking lot. An unknown male (later identified as Clifford Bennett) exited the minivan and went into the post office as the minivan parked.

10. Bennett went to the counter and requested the parcel using the USPS tracking number. Postal Inspector Smith provided Bennett the parcel and he exited the building. Once outside, Agents converged on Bennett and the minivan. Bennett was detained in the parking lot as Paris was removed from the driver’s seat of the minivan and placed into handcuffs. US Marshal TFO Swanson conducted a weapons frisk of Paris and during this he located a handgun concealed in his right front sweatpants pocket. The handgun was removed and found to be a Kimber .45 caliber semi-auto with serial number KU316902. There was a round in the chamber and a loaded magazine.

11. Detective Bancroft and myself interviewed Paris. He was read his Miranda Rights and agreed to speak to the Agents. Paris stated Bennett had reached out to him for a ride to come and pick up a package. He denied knowing what was in the package and denied being involved in the distribution of drugs. Later on in the interview he admitted that he “middles” meth for people in amounts

up to half ounce quantities. He also provided consent for me to go through his phone. I located a screenshot of the USPS tracking number sent to him from a contact of "RO" which he identified as his girlfriend, Gough. I also located a couple text messages where people were asking if he had anything to sell. In one message from the day before (8/21), a person asks if he has anything. Paris responds, "tomorrow I got you".

12. Detective Buechler and TFO Moffet interviewed Bennett. He was read his Miranda Rights and agreed to provide a statement to them. Bennett stated he was contacted by Heard as Heard needed him to pick up a package for him. Bennett met up with Paris who drove him to Heard's house and then the post office. Just before getting to the post office, Paris handed him his cell phone which had the tracking number on it so he could get the package. Bennett left his cell phone in the minivan. Bennett stated that Paris is involved in selling meth. Bennett was eventually released.

13. Billings Police K9 Officer Adams was called to the scene to run K9 Susan on the minivan. K9 Susan was utilized and indicated to the odor of narcotics she is trained to detect. A tow truck was called to the scene to tow the vehicle. Detective Buechler stayed with the vehicle until the tow truck arrived. He then followed it to the Billings PD evidence facility where it was secured pending a search warrant.

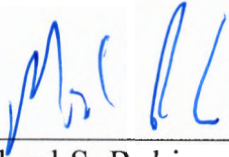
14. K9 Officer Adams and K9 Susans certifications and training are in Attachment B.

14. A Billings Police Officer was called to the scene to transport Paris to the Yellowstone County Detention Center. Paris was arrested on federal charges and remanded into custody.

IV. CONCLUSION

25. Based upon the foregoing information, it is my belief that the “A white 2002 Dodge Grand Caravan with Montana license plate 3-14342D and Vehicle Identification Number 1D4GP24R45B362264”, contains evidence in violation of 21 U.S.C § 841 (a) (1), 846 and 18 U.S.C § 924 (c)., contraband, fruits of the crime or other items illegally possessed, or property intended to use, or used in committing the crime, and I am seeking a search warrant to seize that evidence, which is specifically described in Attachment A.

26. I swear that the facts presented herein are true and accurate to the best of my knowledge.



Michael S. Robinson
Task Force Officer
Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME THIS 26th DAY OF August,
2019.



Honorable Timothy J. Cavan
United States Magistrate Judge
District of Montana